

THE CHAIRMAN: The amendment having been seconded by Delegates Raley, E. J. Clarke, Macdonald, Scanlan, Gallagher and Moser, the Chair recognizes Delegate Hanson.

DELEGATE HANSON: Mr. Chairman, this amendment retains intact the first paragraph, section 7 as reported by the committee, establishing general elections in each even-numbered year. Secondly, it provides that in each fourth year beginning in 1970 state officials shall be elected.

It provides, however, the exception necessary for elections of judges to make this section consistent with that already adopted in the judicial article. Thus it will be possible for judges to run at the next general election following their appointment.

Thirdly, I believe that it meets the problem with which we were confronted this morning of attempting to make a special exception for Baltimore City, but not make exceptions for other counties. It provides the maximum degree of flexibility desirable under the Constitution. It would permit local governments, which will have to adopt charters under the local government article already adopted by this Committee of the Whole, to determine whether they should like to have their elections fall in the same year as state elections, the same year as Presidential elections, or in an odd-numbered year.

It would leave the power to the General Assembly to reconcile the dates of elections if too much confusion arose or would give the General Assembly the right, as under the local government article already adopted by this Convention, to by general public law provide a specific time in which all local elections should be held.

It would seem, then, in the light of our debate this morning, that the greater wisdom of this Convention ought to be to trust in the wisdom of the General Assembly, as events and circumstances indicate, to provide for the times of local elections if it need so to do by law, and otherwise to permit the local governments through their charters to provide for that situation.

Finally, this amendment allows counties where there are officials who serve on a staggered term basis to continue this practice, and permits any elected boards that might be established under charter which operate on a staggered term basis to hold those elections in even-numbered years for the number of those people who happen to be up for election at that time. The only

example of a body with staggered terms which I know of at present is the Montgomery County School Board which consists of seven members, four elected in one even-numbered year, and three elected in another even-numbered year.

I think this amendment meets the problems which we were confronted with this morning.

THE CHAIRMAN: Are there any questions of the sponsor?

Delegate Barrick?

DELEGATE BARRICK: Yes, I have a question of the sponsor.

It seems to me that there is one area of flexibility that is covered by this amendment. As I understand your amendment, you could not have by law, the metropolitan areas of our State having their elections at the same time as the state elections and have the rural areas have their election at some other time, or vice versa, is that correct?

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: If the General Assembly provides, by general public law, as that term is defined in the local government article, for a single election date, there would be a single election date.

If it withdraws the authority of the local governments to determine the dates of their elections and grants back the option to those local governments to have their elections as their charters may determine, then they may have them as their charters may determine.

I would also think that it would be possible for the General Assembly to provide, as I understand the general law provision enacted in the local government article, by general law for the holding of elections but permit particular jurisdictions to opt for a different date.

THE CHAIRMAN: Do you have a further question, Delegate Barrick?

DELEGATE BARRICK: Yes, I would like you to repeat the last sentence. I do not think I followed you.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: It would be possible, as I understand the definition of general public law which has been adopted by this Committee, to permit the General Assembly to enact a general law regarding elections, but to permit specific counties to